

REMARKS

Reconsideration of the above-referenced application is respectfully requested in view of the above amendments and these remarks. Claims 1-13, 16-17 and 26 are currently pending. Claims 14-15 and 18-25 have been cancelled without prejudice.

Claims 1 and 6 are objected to for containing the limitation “will make” as being in the future tense. Applicants have amended these claims to delete these words and return the claims to the terms as originally filed. According to the Office Action, Applicants wish to reserve the right to rewrite these claims, should further discussions regarding the base and superseding claims prove unrewarding. Applicants wish to continue prosecuting claims 15-17.

Claim 8 is rejected under 35 U.S.C. § 112, second paragraph for failure to particularly point out and distinctly claim the subject matter that the Applicants regard as the invention. In particular, claim 8 is rejected for containing “for example.” Applicants have deleted these words. Accordingly, it is respectfully submitted that claim 8 is distinct and definite, and Applicants therefore request that the rejection under Section 112, second paragraph, is withdrawn.

Claims 1-7, 9-14 and 18-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,904,228 to Rosen in view of United States Patent Application Publication No. 2004/0077358 A1 to Bennett et al. Claims 15-17 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants note with appreciation that the subject matter of these claims is deemed to be allowable if rewritten to include all limitations of the superseding and rejected claims.

Applicants respectfully disagree with the Examiner’s rejections set forth in the present office action. However, desiring to expedite the issuance of a patent for the present invention and in view of the Examiner’s indications of amendments that would confer allowance, Applicants have sought to amend the claims in accordance with the Examiner’s suggestions. Applicants have amended independent claim 1 to return it to its originally filed form and to incorporate claims 14 and 15, which was indicated as

Serial No. 10/820,520

Harris et al.

Case No. CE11494R

allowable. No remaining grounds for rejection or objection being given, the claims in their present form are asserted to be patentable over the prior art of record. Applicants request that the rejection under Section 103(a) be withdrawn.

As Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to
50-2117.

Respectfully submitted,
Harris, John M., et al.

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: 22917

By: /Simon B. Anolick/

Simon B. Anolick
Attorney for Applicant
Registration No.: 37,585
Telephone: 847-576-4234
Fax: 847-576-3750